

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**IN RE ANDROGEL ANTITRUST  
LITIGATION (NO. II)**

**MASTER DKT. NO. 1:09–  
MD–2084–TWT**

**ALL CASES**

**DEFENDANTS’ MOTION IN LIMINE NO. 2 TO PRECLUDE  
REFERENCE TO ABSENCE OF DEFENSE WITNESSES AT TRIAL**

Pursuant to Rules 402 and 403 of the Federal Rules of Evidence, and the authorities cited in the accompanying memorandum of law, Defendants AbbVie Products, LLC, f/k/a Solvay Pharmaceuticals, Inc. (“Solvay”), Actavis, Inc. (n/k/a Allergan Finance, LLC), Par Pharmaceutical Companies, Inc. (“Par”), and Paddock Holdings, LLC (“Paddock”) (collectively “Defendants”) respectfully move for an order precluding Plaintiffs from commenting at trial on the absence of defense witnesses. Comments concerning the absence of witnesses would be highly inflammatory and unfairly prejudicial.

Respectfully submitted this 15th day of November 2019.

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\* Practicing pursuant to this Court's  
Initial Case Management Order

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**CERTIFICATE OF COMPLIANCE**

Pursuant to Local Rule 7.1D, counsel hereby certifies that the foregoing **DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE REFERENCE TO ABSENCE OF DEFENSE WITNESSES AT TRIAL** has been prepared in accordance with Local Rule 5.1 using Times New Roman 14 point font.

Respectfully submitted this 15th day of November 2019.

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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of **DEFENDANTS' MOTION IN LIMINE NO. 2 TO PRECLUDE REFERENCE TO ABSENCE OF DEFENSE WITNESSES AT TRIAL** and the accompanying memorandum of law were filed with the Court's CM/ECF system on November 15, 2019, and thereby distributed to counsel of record.

Respectfully submitted this 15th day of November 2019.

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